



**Charnwood**

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# **Charnwood Borough Council**

## **Regulatory Services**

### **Health and Safety Enforcement Intervention Plan 2023/24**

I have great pleasure in endorsing this Health and Safety Enforcement Interventions Plan for 2023/24.

The Council is committed to its vision for the Borough to become a safer and more secure place for people to call home, a hub of cutting edge high-tech industry, a flourishing and vibrant retail and leisure destination and a borough which is open for business.

This plan details how we intend to contribute by setting out our priorities to protect the health, safety and welfare of people at work and safeguard others who may be exposed to risks arising from the work activity.

The plan identifies both reactive and proactive work and includes details of planned promotional and educational activities and considers the National Local Authority Enforcement Code.

These activities will need to be considered in light of the ongoing Covid 19 pandemic which is still prevalent within the borough of Charnwood and a national and global concern. The plan will reflect the work that Regulatory Services is undertaking to assist business and residents to ensure both are kept safe at this time.

It is hoped it will assist the Council in taking a consistent and proportionate approach to enforcement, and focus efforts where it really matters

A handwritten signature in black ink, appearing to read 'Liz Blackshaw', with a long horizontal flourish extending to the right.

Councillor Liz Blackshaw  
Lead Member for Regulatory Services

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## INTRODUCTION

The Regulatory Services Team enforce health and safety legislation within the borough at premises that are allocated to the local authority by the Health and Safety (Enforcing Authority) Regulations 1998. The other enforcing authority for health and safety is the Health and Safety Executive (HSE).

This Health and Safety Enforcement Intervention Plan 2023/24 reviews the performance of the Regulatory Services Team with regards to health and safety for 2022/23 and sets out the priority tasks for 2023/24. Due to the Covid 19 pandemic the services of Regulatory Services were drastically changed during 2021/22 to provide support to the Government in controlling the spread of Covid 19 and a majority of the tasks in that plan were not carried out. This also affected our recovery work in 22/23 and going forward into 23/24.

It is intended to inform businesses and members of the public throughout Charnwood of the Council's approach to health and safety in providing a fair, consistent, open and effective enforcement service.

The Health and Safety Enforcement Intervention Plan is produced annually. The details of the health and safety interventions that we will be involved in each year are the only significant differences between intervention plans and are directed by national priorities and local intelligence. We are looking at how we consult with businesses through Better Business for All and using the groups that already exist to consult with businesses on the health and safety interventions that we commit to. However, if any businesses have any suggestions on the type of health and safety intervention that we should be involved in, then we encourage them to contact us to discuss further.

The intervention plan meets the requirements of the mandatory guidance issued under Section 18 of the Health and Safety at Work etc Act 1974 that requires each local authority to make adequate arrangements for the enforcement of health and safety legislation.

A copy of the Health and Safety Enforcement Intervention Plan is available at [www.charnwood.gov.uk/pages/health\\_and\\_safety\\_intervention\\_plans](http://www.charnwood.gov.uk/pages/health_and_safety_intervention_plans).

### 1. SERVICE AIMS AND OBJECTIVES

#### 1.1 Aims and Objectives

The Council's Corporate Plan 2020 - 2024 contains the following principles

Our Values are;

- Pride in Charnwood: We take pride in our work and borough and are ambitious for the future.
- Customer Focused: We listen to our customers and are focused on delivering excellent services.
- Working Together: We work together with pace and positivity as one council and in partnership with others.

This will be delivered under 4 Themes and our work complements the following themes

**Healthy Communities (Safer Charnwood)** - We will continue to work with partners to make our towns and villages safer places to live, work and visit.

**A thriving economy (Economic growth)** - We will continue to use both business regulation and business support to help local companies. A compliant business in regulation is a more profitable business.

**1.2 Links to Corporate Objectives and Plans**

The aim is to protect the health, safety and welfare of people at work, and to safeguard others, principally members of the public, who may be exposed to risks from the way that work is carried out and contributes generally to the corporate priorities above.

The following are the key task and performance indicators which are linked to the health and safety service;

Tasks

Supporting the work of the LLEP 'Better Business for All' joint project.

Endorsement by the Lead Member of the annual Health and Safety Enforcement Intervention Plan as required by the Health and Safety Executive Section 18 guidance.

Performance Indicators

RS2	Percentage of planned health and safety intervention visits completed that quarter.
CS/28b	Percentage of service requests for Health and Safety responded to within 3 working days.
EH06a	Number of accident requests received under RIDDOR that were investigated within the current set response times from the date received
EH06b	Number of workplace accidents requiring investigation that were completed within 3 months of the date received
EH07	Percentage of proactive inspections completed for all licensed animal boarding or breeding establishments.
CS/29	Enquiries relating to businesses that should be registered e.g. acupuncture, tattooing, ear and skin piercing establishments responded to within 3 working days
RS1	Percentage of formal notices and legal action taken resulting in compliance or successful fine /prosecution

### 1.3 HSE Strategy – Protecting People and Places 2022 to 2032

We will also be working towards contributing to the HSE's new strategy, which has the following objectives; <https://www.hse.gov.uk/aboutus/assets/docs/the-hse-strategy.pdf>

- **Reduce work-related ill health, with a specific focus on mental health and stress**

There will be a focus on reducing the increasing trend of stress and improving the mental health of workforces.

- **Increase and maintain trust to ensure people feel safe where they live, where they work and, in their environment**

People should feel safe in their homes and provide assurance businesses and industries are able to manage and control risks.

- **Enable industry to innovate safely to prevent major incidents, supporting the move towards net zero**

We have a significant part to play in the safe delivery of the government's commitment to achieve net zero greenhouse gas by 2050. We will help apply our expert knowledge and capability to help businesses understand both known and unknown risks.

- **Maintain Great Britain's record as one of the safest countries to work in**

There is a role for everyone who has a stake or interest. in improving health and safety. The fundamental principle of health and safety law is that those who create risks are best placed to manage them.

- **Ensure HSE is a great place to work, and we attract and retain exceptional people**

To be true to our vision, we need to keep our people at the centre of what we do. We must build on our strengths to continue to ensure our workforce is flexible and motivated

### 1.4 National Local Authority Enforcement Code

The National Local Authority Enforcement Code is designed to ensure that local authority regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk-based approach to targeting. Whilst the primary responsibility for managing health and safety risks lies with the business who creates the risk, LA health and safety regulators have an important role in ensuring the effective and proportionate management of risks, supporting businesses, protecting their communities and contributing to the wider public health agenda.

The Code requires LAs to consider a range of regulatory techniques (interventions) to influence the management of risk by a business. Charnwood Borough Council is responsible for regulating approximately 2,600 workplaces and it is neither proportionate nor effective to deliver a regulatory function based on inspection of individual workplaces – particularly since many of those workplaces will already be managing their risks effectively.

Inspection can be very effective in the right circumstances – where individual face-to-face contact with a duty holder is necessary to influence their management of risk. However it is the most resource intensive and should be limited to the highest risk premises; conversely it may not be considered to be the best use of public resource to inspect comparatively lower risk premises.

To assist LA targeting, alongside the Code HSE has published a list of national priorities, and a list of specific activities in defined sectors that are suitable for proactive inspection. Following the principles of the Code, proactive inspection should only be used for premises on the list or where there is local evidence that the risks are not being effectively managed. LAs should also maintain a strong deterrent against those businesses who fail to meet their health and safety obligations.

Implementing and complying with the Code will ensure that LA regulatory resource is used consistently and to best effect. Using risk-based targeting should free up resources and facilitate the provision of advisory visits and support to deliver the growth agenda particularly with new business start-ups.

There is also the “Statement of Commitment” at <https://www.hse.gov.uk/lau/statement.htm> a joint agreement between Local Authorities and the HSE which sets out agreed standards as to how the HSE will work with LA’s and what support will be required. This includes reference to the “Better Business For All” concept which we have embedded at the heart of our service delivery at Charnwood Borough Council.

The National Local Authority Enforcement Code is available at [www.hse.gov.uk/lau/la-enforcement-code.htm](http://www.hse.gov.uk/lau/la-enforcement-code.htm)

An Independent Regulatory Challenge Panel has been set up to enable a business to challenge specific health and safety regulatory advice they believe to be unreasonable or disproportionate. Further information is available at [www.hse.gov.uk/contact/challenge-panel.htm](http://www.hse.gov.uk/contact/challenge-panel.htm).

## **2. BACKGROUND**

### **2.1 Organisational Structure**

The Lead Member for Regulatory Services is Councillor Liz Blackshaw.

There are a number of authorised officers for health and safety purposes within the Regulatory Services Team and in producing the Health and Safety Enforcement Intervention Plan 2023/24 we have taken into consideration the health and safety operational time available and committed to provide the service detailed in this intervention plan.



Arrangements are in place to ensure that all staff are competent, appointed and authorised for the tasks that they carry out and a programme of training and supervision is in place. Within the Group, training and development needs are identified through the Personal Review process.

## **2.2 Scope of the Health and Safety Service**

Health and safety enforcement is based within Regulatory Services.

Principal areas of work undertaken by Regulatory Services with regards to health and safety detailed in this plan are;

- Planned special interventions, surveys or enforcement initiatives.
- Investigations of notifiable workplace accidents, ill-health and dangerous occurrences.
- Investigation of complaints – concerning unacceptable management and poor welfare conditions etc.
- Provision of health and safety advice to employers, employees and members of the public.
- Investigation of reports into defective lifting equipment.
- Assessment of licensed asbestos removal works.
- Enforcement of the Health Act 2006 and smoke free legislation.
- Cooling Tower and Evaporative Condensers Register.
- Enforcement of the Sunday Trading Act 1994.
- Skin piercing registrations.
- Animal Activity Licences under Animal Welfare (Licensing of Activities Involving animals) (England) Regulations 2018.
- Licensing of Zoos, Dangerous Wild Animals.
- Consulted on Premises Licences Applications or variations and outdoor events.
- Private Water Supply.
- Drinking Water Quality.

Regulatory Services can be contacted at the following address;

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Regulatory Services  
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Southfield Road  
Loughborough  
LE11 2TX

Tel; 01509 634628

Fax; 01509 232313

E-mail: [env.health@charnwood.gov.uk](mailto:env.health@charnwood.gov.uk)

## **2.3 Enforcement Policy**

The appropriate use of enforcement powers, including prosecution, is important both to secure compliance with the law and to ensure that those who have duties under it are taken to account for failures to safeguard health, safety and welfare.

Regulatory Services have an overarching Regulatory Services Enforcement Policy that has been approved by Members. This is available at [http://www.charnwood.gov.uk/pages/regulatory\\_service](http://www.charnwood.gov.uk/pages/regulatory_service) . In addition, the Service also has a Health and Safety Enforcement Policy that was devised by the Leicestershire and Rutland Health and Safety Best Practice Group in consultation with stakeholders. The Enforcement Policy has also been adopted by Council Members. The document states the Council's general policy with respect to health and safety law enforcement and is based on the principals of proportionality, consistency, targeting and transparency.

The enforcement policy is available on the Charnwood Borough Council website at [www.charnwood.gov.uk/pages/health\\_and\\_safety\\_at\\_work\\_regulation\\_and\\_inspection](http://www.charnwood.gov.uk/pages/health_and_safety_at_work_regulation_and_inspection) or a copy can be obtained by contacting the Commercial Group directly.

There is a separate Smoke Free Enforcement Policy due to the different enforcement options available, i.e. fixed penalty notices, and this is available on the Charnwood Borough Council website at <https://www.charnwood.gov.uk/pages/smokefree>

### **3. SERVICE DELIVERY**

Regulatory Services will carry out the following activities and interventions with regards to health and safety in 2023/24;

A summary of the health and safety interventions that we have committed to in 2023/24 is available in Appendix 1.

#### **3.1 Health and Safety Interventions**

LAC 67/2 (rev 12) 'Setting Priorities and Targeting Interventions' provides LAs with guidance and tools for priority planning and targeting their interventions to enable them to meet the requirements of the National Local Authority Enforcement Code.

The over-arching principle is that LAs should use the full range of interventions available to influence behaviours and the management of risk with proactive inspection utilised only for premises with higher risks or where intelligence shows that risks are not being effectively managed.

Proactive inspection should only be used:

- a) For high risk activities within the specific LA enforced sectors published by HSE;  
or
- b) Where there is intelligence showing that risks are not being effectively managed.

**In both circumstances, LAs have the discretion as to whether or not proactive inspection is the most appropriate intervention.**

The other proactive health and safety interventions that we may use are;

- Partnership
- Motivating senior managers
- Supply chain
- Design and supply
- Sector and industry wide initiatives
- Working with those at risk
- Education and awareness
- Intermediaries
- Encouraging Compliance
- Recognising Compliance
- Other Interventions

Regulatory Services will be able to justify any inspections they undertake and to conform to the general Hampton principle of “no inspection should take place without a reason”.

PERFORMANCE AIMS – To carry out 100% of planned health and safety intervention visits.

PERFORMANCE INDICATORS - % of planned intervention visits carried out

## **NATIONAL PRIORITIES**

### **3.1.1 SME's**

To assist Small and Medium Enterprises, who may receive little contact from regulatory bodies fully understand their health and safety responsibilities, we have been raising their awareness of the HSE's ABC online toolkit for health and safety. This toolkit aims to make health and safety simple and straight forward for these types of businesses.

We will continue to provide advice and guidance on health and safety to new businesses especially new food businesses.

We have worked with the LLEP and Better Business for All and also other teams to ensure that the information is relevant to businesses.

### **3.1.2 Inflatable Amusement Devices**

A continued priority is a focus on inflatable devices especially as there have been issues with collapse and other safety features. We are therefore concentrating on outdoor events that have hired or are using inflatable devices and checking that they are safe to use and that event organisers understand their responsibilities. We will record the number of visits made.

### **3.1. Investigations of notifiable workplace accidents, ill-health and dangerous occurrences.**

The Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR) Regulations 2013 requires the reporting of certain work-related accidents, diseases, and dangerous occurrences to the enforcing authority for health and safety.

As it is not possible to investigate all incidents reported under RIDDOR, internal policy and procedures have been developed, which include clearly stated criteria on which decisions to investigate are made in line with the HELA LAC 22/13 (rev 1) – ‘Incident investigation selection procedures’. The Health and Safety and Business Engagement Manager assesses all reports and whether an investigation is considered necessary.

Where an investigation is considered appropriate;

Fatalities will be investigated within one working day.

Specified Injuries and members of the public within three working days.

Over seven-day injuries will be investigated within ten working days or the next routine inspection, if within the next three months.

Type	2022/23	2021/22	2020/21	2019/20	2018/19	Change 22/23 to 21/22+/-
Fatality	0	0	0	0	0	-
Specified Injuries	13	4	4	5	7	+9
Over 7 days	14	19	20	22	29	-5
Member of Public	11	6	4	10	12	+5
Dangerous Occurrence	0	1	0	0	1	-1
Disease	1	1	15	0	0	-
Total	39	34	39	37	49	+5
Investigated	12	5	34	8	17	+7
Non Reportable	5	3	2	2	1	+2
Slips, Trips & Falls	21	17	11	14	17	+4
Falls from Height	8	1	0	1	4	+7
Manual Handling	3	1	6	9	7	+2
Workplace Transport	0	0	1	0	1	-
Other	12	15	12	13	5	-3

As can be seen from the table of accident statistics we had a total of 44 reported to the service of which 12 were investigated in accordance with the HSE investigation criteria. The highest number were seen in the slips and trips which accounted for most injury types. There has been a drop in the number of reported accidents.

The main area still causing an issue is this being slips and trips. We continue to focus on slips, trips and floors on routine food visits when hazard spotting.

PERFORMANCE AIM - To investigate incidents reported under RIDDOR in line with internal procedures and where investigations are required;

Fatality	within one working day
Specified injury	within three working days
Over seven-day injury	within ten working days or the next routine inspection
Member of the Public	within three working days

PERFORMANCE INDICATOR - Compliance with the investigation targets.

### **3.1.4 Complaints**

We will investigate all service requests, e.g. complaints about working conditions, where we have an enforcement role, except for anonymous complaints which are malicious, where a risk to public health cannot be identified or when adequate information is not available.

All complaints will be responded to within 3 working days, unless it is determined to be an issue that with the agreement of the complainant will be discussed at the next routine visit.

PERFORMANCE AIM - To respond to 95% of complaints within 3 working days.

PERFORMANCE INDICATOR - % of complaints responded to within 3 working days.

### **3.1.5 Primary Authority**

We take account of the primary authority scheme in all work that we carried out in relation to businesses that have a primary authority partner in Charnwood.

At present Charnwood Borough Council is not a primary authority partner for health and safety purposes.

We will continue to try and identify any businesses that would be appropriate for Charnwood Borough Council to be a primary authority partner for health and safety

## **LOCAL PRIORITIES**

### **3.1.6 Skin Piercing Activities**

As we have revised our skin piercing register and introduced the registration of cosmetic piercing and skin colouring we will continue to inform businesses of the need to be registered. There are still a number of practitioners and premises which are yet to be registered.

We will email those on our waiting lists and engage with other areas of the borough which are unaware of these changes. We will conduct a social media campaign to raise awareness with the public of what they should be looking for when having these type of procedures undertaken. We will hopefully ensure premises and practitioners are getting registered in the correct manner.

All activity will form part of the planned health and safety intervention visits

### **3.1.7 LLEP 'Better Business for All'**

The Leicester and Leicestershire Enterprise Partnership have set up a local Better Business for All Partnership between businesses and regulatory services whose aim is to create the conditions for an effective and efficient regulatory system to support business growth through removing real and perceived regulatory barriers.

Regulatory Services will support the work of the LLEP 'Better Business for All' joint project' and the Health and Safety Business Engagement Manager has been designated as Charnwood's Business Champion. They will be working with local businesses and groups and within the Council itself to spread the message about Better Business for All.

### **3.1.8 Food Hygiene Visits and Dealing with Matters of Evident Concern**

All Food Safety Officers are authorised under the Health and Safety at Work etc. Act 1974, therefore if they note any health and safety matter that are of an evident concern on a food hygiene visit then they will deal with that matter along as it is in their jurisdiction to do so. Any other matters would be referred to HSE or Leicestershire Fire and Rescue.

Food Officers will carry out checks in hospitality businesses where there is a provision of outdoor entertainment or facilities in connection with electrical safety. Any issues will be raised with the dutyholder.

### **3.1.9 New Businesses**

We also must allocate enough time for the assessment of new businesses which is carried out in accordance with LAC 67/2 and internal procedures.

In 2022/23 **87** new businesses were inspected for joint food and health and safety purposes.

## **3.2 Information for Businesses**

A 'Better Business for All' start up advice booklet for new businesses has been developed, incorporating information on advice on Health & Safety. This information will be promoted to new businesses setting up in Charnwood.

Charnwood Borough Council will also promote the Health and Safety Executive (HSE) website and tools on visits to new businesses. This information is developed and kept up to date without any additional resources from the Commercial Group. In particular, the H&S ABC – An easy guide to health and safety ([www.hse.gov.uk/abc](http://www.hse.gov.uk/abc)) tool provides the following information;

- A Health and Safety Made Simple
- B Health and Safety Toolbox
- C Online Risk Assessments

In addition, there is also a free quarterly health and safety newsletter produced by the Health and Safety Executive.

A specific webpage has been created on the Charnwood Borough Council website to advise businesses on how they can keep up to date with health and safety issues and this is available at;

[www.charnwood.gov.uk/pages/keeping\\_up\\_to\\_date\\_with\\_health\\_and\\_safety](http://www.charnwood.gov.uk/pages/keeping_up_to_date_with_health_and_safety)

### **3.3 Accurate Database**

The Civica database will be kept as up to date and accurate as possible with regards the businesses for which Charnwood are the enforcing authority and in accordance with guidance.

The following methods will be used;

- Registrations forms (food and skin piercing)
- Planning Applications
- Officer Observations
- Licences (Premises and Animal Welfare)
- Notifications (Accidents, Asbestos Removal and defective lift reports)
- Media Publicity, Yellow Pages, Internet
- Health and Safety Executive.
- Letter- Keeping up to date with health and safety
- Closed Business Checks – Carried out annually
- Advice enquiries
- Complaints

We are now involved in a new ICS project of implementing a new back office system called Assure from NEC. This has resulted in 2 years of dedicated work by Stuart Adkins on the building and configuration of this system. We are looking to go live with the new system in late 2023. Further work will be required in updating the database with all health and safety business information.

### **3.4 Enforcement**

All enforcement action will be taken by authorised and competent officers in accordance with the Regulatory Services Enforcement Policy and the Health & Safety Enforcement Policy which incorporates the Enforcement Management Model.

### **3.5 Advice**

Advice will be provided on all health and safety issues within our statutory remit, referring them to a more appropriate body where relevant e.g. HSE, Trading Standards. Our advice role does not extend to acting in the role of a consultant.

Dependent upon staff resources and available information within the section a request for advice will be responded to within 3 working days.

The Council website will also be used to provide advice on various health and safety issues and links to various leaflets and websites where relevant. This will be updated on a regular basis and will include details on any new legislative requirements.

PERFORMANCE AIM – To respond to 95% requests for advice on all health and safety issues within our statutory remit within 3 working days.

PERFORMANCE INDICATOR – The % of advice enquiries responded to within 3 working days.

### **3.6 Statutory Notification**

#### **3.6.1 Lifting Defect Reports**

A person making a thorough examination under Regulation 9 of the Lifting Operations and Lifting Equipment Regulations 1998 shall where there is in his opinion a defect in the lifting equipment involving an existing or imminent risk of serious personal injury, send a copy of the report as soon as practicable to the relevant enforcing authority.

The investigating officer will respond within 24 hours of receiving such a notification, whether by telephone or site visit, and where necessary any enforcement action will be taken in accordance with the Enforcement Policy.

PERFORMANCE AIM - To investigate all notifications of defects in lifting equipment within 24 hours of receipt of the report.

PERFORMANCE INDICATOR - % of defective lifting reports investigated within 24 hours.

#### **3.6.2 Asbestos Notifications**

Under Control of Asbestos Regulations 2012 a licence is required for work with asbestos insulation or asbestos coating or work with asbestos insulating board, subject to exemptions. If such work is carried out in a premise enforced for health and safety by Charnwood Borough Council, then the Council must be notified 14 days before the work begins, unless a dispensation is granted.

The notification documentation will be assessed by a competent officer, a visit will be carried out in accordance with internal procedures, but at no time will an officer put themselves in a situation at risk of breathing in asbestos fibres.

PERFORMANCE AIM - To assess all notified asbestos removal works carried out by licensed asbestos removal contractors.

PERFORMANCE INDICATOR - A performance measure for this aim is difficult to report upon.

#### **3.6.3 Cooling Towers Register**



The Notification of Cooling Towers and Evaporative Condensers Regulations 1992 require that the local authority is notified of all 'cooling towers' and 'notifiable devices' within the borough. The Commercial Group maintain such a register.

None of the 'cooling towers' registered with the Council are located in premises enforced for health and safety by Charnwood Borough Council, therefore no visits are planned to these businesses.

The Commercial Group will maintain a register as required by the Notification of Cooling towers and Evaporative Condensers Regulations 1992.

#### **3.6.4 Skin Piercing Registrations**

Registrations of persons carrying on the business of ear piercing, electrolysis, tattooing and acupuncture, and the premises where those businesses are being undertaken, are granted under sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982. Charnwood Borough Council have adopted byelaw for these activities that must be complied with.

These premises are visited upon first registration, and then only in accordance with their health and safety rating if they are ours for health and safety enforcement or if there has been a complaint regarding the skin piercing activities.

We have now adopted fully the latest byelaws from the Department of Health and these will now include all cosmetic piercings (all parts of the body) and semi-permanent skin colouring (microblading, lip liner, eye liner and medical applications) .

As skin piercings are a one-off registration, we will review the existing registrations and the activities that they carry out. We have changed our registration procedure in line with other Leicestershire Local Authorities and will now register a premises and operator / practitioner separately. This will result in a single registration for premises and a single registration for an operator which is only required once. We will implement a skin piercing policy which will outline how the registrations will work.

PERFORMANCE AIM - Enquiries relating to businesses that should be registered e.g. acupuncture, tattooing, ear and skin piercing establishments responded to within 3 working days

PERFORMANCE INDICATOR - % of enquiries responded to within 3 working days  
CS29

#### **3.6.5. Sunday Trading**

The Sunday Trading Act 1994 restricts the opening of certain types of shops, larger than 280 square metres floor area, to 6 hours between 10am and 6pm on a Sunday. Although Charnwood Borough Council are no longer required to keep a register of up to date trading hours, all complaints of businesses not complying with the Sunday Trading Act will be investigated.

#### **3.6.6 Activities summary**

The following is a summary of our figures for the areas we cover in Occupational Health in relation to all these subject areas.

Type	2022/23	2021/22	2020/21	2019/20
HS Service Requests	97	90	84	49
New business	87	0	1	31
Improvement Notices issued	1	2	0	2
Prohibition Notices issued	0	0	0	0
New enquiries / Advice	13	0	24	4
Lifting defect reports	3	5	5	8
Asbestos notifications	0	0	0	1
Cooling Towers notifications	1	2	1	2
Skin piercing registrations	48	21	28	31
Sunday Trading	0	0	0	2
Smokefree requests	0	1	0	2
Formal complaints about service	0	0	1	0

### 3.7 Animal Licensing

#### 3.7.1 Animal Activity Licences under Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018)

On 1<sup>st</sup> April 2023 we had issued **81** Animal Activity Licences which covered the following activities (one licence can be issued for several activities)

Selling Animals as Pets

Boarding Cats

Boarding dogs in Kennels

Home Boarding Dogs

Breeding Dogs

Day Care Dogs

Hiring Out Horses

Exhibitors

Each Licence is now given a star rating in accordance with the following table;

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
	<b>Low Risk</b>	<b>1 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>3 Star</b> 2yr licence Min 1 unannounced visit within 24 month period	<b>5 Star</b> 3yr licence Min 1 unannounced visit within 36 month period

Risk	<b>Higher Risk</b>	<b>1 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>2 Star</b> 1yr licence Min 1 unannounced visit within 12 month period	<b>4 Star</b> 2yr licence Min 1 unannounced visit within 24 month period
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Their star rating will determine the length of licence they receive. Licences can be 1, 2 or 3 year and there is a cost incentive as the licence fee is the same for each length of licence.

On 1<sup>st</sup> April 2023 we had the following star ratings (*Exhibitors do not receive a star rating*);

	STAR RATING				
	1	2	3	4	5
TOTAL	0	0	12	23	42

This means that **84%** of the animal activity licences issued have met the higher standards and **100%** have met the minimum standard which is 2 stars and above as you can only achieve 2 stars by being a new business and complying the minimum standards.

In 2023/24 we will be working on ensuring that all relevant business activities are licensed, and this may include some media work and investigational skills. We have limited resources for this work as a number of businesses have moved online and are difficult to contact and trace.

### 3.7.2 Dangerous Wild Animals

Under the Dangerous Wild Animals Act 1976 certain types of animals are classified as dangerous wild animals. Anyone who wants to keep a classified dangerous wild animal must hold a licence that is renewed every two years.

On 1<sup>st</sup> April 2023 there were no dangerous wild animal licence issued.

### 3.7.3 Zoo Licensing

At present there are no licensed Zoo's within the borough.

## 3.8 Smoke free

The Health Act 2006 and smoke free regulations prohibit smoking in enclosed and substantial enclosed workplaces, public buildings and work vehicles from 1<sup>st</sup> July 2007.

The smoke free legislation was successfully introduced into the borough in 2007. No fixed penalties or prosecutions were served or taken regarding smoke free in 2022/23.

The Commercial Group will continue routine inspections to assess compliance with smoke free offences and deal with any complaints or enquiries.

Compliance in this area remains very high. We will undertake a routine check of Shisha premises which can be known to be non-compliant in these areas.

### **3.9 Premises Licences**

The Commercial Group are a statutory consultee on any new premises licence/variation and Temporary Events Notice received by the Charnwood Licensing Team.

The Health and Safety and Business Engagement Manager works closely with the Licensing Team and Food Safety on any significant events that take place in Charnwood.

### **3.10 Water Sampling**

#### **3.10.1 Public/Private Water Supplies**

The Service fulfils the Councils statutory functions in relation to public and private water supply quality, as required by Water Industry Act 1991, by;

- monitoring the water undertakers' annual results for water samples taken in the Borough,
- attendance at an annual health liaison meeting with water undertaker and emergency planning exercise,
- liaison over water quality incidents (average one a year) with water undertaker and Drinking Water Inspectorate,
- investigation of water quality complaints /mains water sampling where necessary including sampling at two major events with temporary water supply.
- The Private Water Supply Regulations 2016. There is a requirement to risk assess private water supplies dependant on their use and private distribution systems within 5 years and implement a sampling and enforcement regime.
- Continue to sample and assess private water supplies as necessary and provide data to the DWI on a yearly basis.

Partnership working with Severn Trent Water will also be necessary to identify private distribution systems and implement a programme of risk assessment and sampling.

We have three private water supplies in the borough which were risk assessed in 2021 and will not be due to be risk assessed until 2026. Since changes to the qualifications this work has been contracted out to a consultant.

### **3.11 Monitoring**

The Health and Safety and Business Engagement Manager is allocated to producing and monitoring the contents of this intervention plan and the Commercial Groups performance and producing the LAE1 return in June each year and involvement in benchmarking exercises.

They also attend internal meetings and the Leicestershire and Rutland Health and Safety Best Practice Group.

We have carried out a Section 18 guidance self-assessment and peer review with Leicestershire and Rutland Best Practice Group. From this work an action plan was developed to ensure compliance with Section 18 guidance.

### **3.12 Complaints about the Service**

The Commercial Group aims to provide efficient, good quality services to its customers. Even so, on occasions, things can go wrong. We want to resolve all complaints quickly and effectively. Initially complaints may be raised with the officer involved, then if they cannot be resolved to the Team Manager. If it still cannot be resolved, then a decision will be made with the complainant whether they wish to make a formal complaint. A formal complaint is investigated in line with corporate procedures.

## **4. QUALITY ASSESSMENT**

Historically quality management due the overall size of the Team has been assured by sound management practices, the professionalism of officers and checks by the Health and Safety and Business Engagement Manager on outgoing correspondence. The production and implementation of revised internal procedures will assist in improving controls.

Benchmarking within the Leicestershire and Rutland Health and Safety Best Practice Group and the National Picture is carried out annually.

In order to ascertain the quality of the inspection service Health and Safety questionnaires may be sent out with all commercial premises' inspection reports.

## **5. REVIEW**

### **5.1 Review against Service Plan**

Regulatory Services will review its performance in accordance with the Health and Safety Intervention Plan annually for that period and against specified performance targets and performance standard improvements and targeted outcomes.

The Head of Regulatory Services undertakes a monthly performance meeting with all Managers within the department, which assess progress with the Team Plan and this intervention plan. Key performance indicators are also collated every quarter and uploaded to the corporate performance management system and reported to the Lead Member for Regulatory Services. Reviews will also be carried out every three months to ensure that the expected performance in the Health and Safety Enforcement Intervention Plan will be achieved.

The reviews will be carried out by the Health and Safety and Business Engagement Manager and will be fed into the planning process that produces the intervention plan for the following year using Appendix 2 - Health and Safety Enforcement Intervention Plan Review.

## **5.2 Identification of any variation from the Service Plan**

Each year an annual review will be carried out to identify any variance from the Health and Safety Enforcement Intervention Plan and where appropriate the reasons for any variance. Appendix 2 – Health and Safety Enforcement Intervention Plan Review details the performance of the Commercial Group in the current year.

## Appendix 1

### Health and Safety Interventions 2023/24

The following table details the health and safety interventions that the Regulatory Services Team will be contributing to in 2023/24.

What are our priorities?	National or Local Priority	Why intervene?	Where to intervene?	How to intervene?	When to intervene?	Who should intervene?
Providing Advice, and working with BBfA	Local and National	To ensure that businesses that are self-regulating and want to get things right, have access to the right information to assist them. 'Getting it right first time'	New businesses. To continue our work with BBfA and the promotion of the Business Start Up Pack.	PARTNERSHIPS EDUCATION AND AWARENESS ENCOURAGING COMPLIANCE RECOGNISING COMPLIANCE	This is to be done throughout the year.	Authorised and competent officers.  Other Regulatory bodies.
		To raise awareness to SME's of the HSE's ABC Health and Safety Toolkit as they may not be aware that this simple toolkit is available for them to use.	We will continue to raise awareness of the HSE's ABC Toolkit.	EDUCATION AND AWARENESS ENCOURAGING COMPLIANCE PARTNERSHIPS	Provide advice and engage with new businesses	Authorised and competent officers.



<b>Inflatable Amusement Devices</b>	<b>National</b>	To ensure inflatable devices at outdoor events are managed to ensure safety to the public	Outdoor Events identified as using these devices	<b>EDUCATION AND AWARENESS ENCOURAGING COMPLIANCE</b>	This is to be done throughout the year as and when necessary	Authorised and competent officers.
<b>Reactive – investigating complaints or reports.</b>	<b>National</b>	Encouraging duty holders to be active and making sure that significant concerns and complaints from stakeholders are dealt with appropriately.	Adoption of the HSE complaints handling procedures to ensure that resources are targeted on complaints that indicate the poor management of risk.	<b>DEALING WITH ISSUES OF CONCERNS AND COMPLAINTS</b>	Within our service standards times when incidents are reported that satisfies our criteria for investigation.	Authorised and competent officers.
<b>Reactive – investigating accidents</b>	<b>National</b>	Firstly, to ensure that appropriate steps are taken to prevent a similar incident from occurring. Secondly, if any formal action is considered appropriate following the investigation.	We follow the HSE Accident Investigation Criteria in identifying those 'Mandatory' accidents that we must investigate, 'Discretionary' ones where we consider it appropriate to do so, and also those incidents that do	<b>INCIDENT AND ILL HEALTH INVESTIGATION</b>	Within our service standards times when incidents are reported that satisfies our criteria for investigation.	Authorised and competent officers.

			not require any further investigation.				
<b>(New Food Campaign)</b>	<b>Local</b>	Slips and Trips hazard spotting Raising awareness of electrical safety in outdoor areas of hospitality industry	Food inspections routine	INSPECTION ENCOURAGING COMPLIANCE EDUCATION AND AWARENESS	Hazard spotting	Authorised and competent officers	
<b>Dealing with matters of evident concern.</b>	<b>National</b>	Officers will continue to deal with health and safety 'matters of evident concern' whilst visiting for another purpose when it is considered necessary to do so.	On relevant visits for other purposes.	DEALING WITH ISSUES OF CONCERNS AND COMPLAINTS	On visits for other purposes where matters of evident concern are identified.	Authorised and competent officers.	
<b>OTHER SIGNIFICANT WORK TO BE CARRIED OUT BY THE HEALTH AND SAFETY TEAM IN 23/24</b>							

<b>Title:</b>	Health and Safety Enforcement Intervention Plan		
<b>Manager:</b>	Health and Safety and Business Engagement Manager (HSBE)		
<b>Team:</b>	Regulatory Services		
<b>AIM</b>	Carry out a health and safety enforcement intervention programme in line with the health and safety intervention plan 2022/23	<b>Date:</b>	April 2023

## Appendix 2 Health and Safety Enforcement Intervention Plan 2022/23 Review

The following table will be used next year to review the Commercial Group's performance against the Intervention Plan.

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
001	Endorsement by the Lead Member of the annual Health and Safety Intervention Plan as required by Section 18 guidance	June 2022	HSBE	Completed	Intervention Plan introduced.	
002	Identify and investigate any possible Primary Authority Partnerships with Charnwood Borough Council.	N/A	HSBE	Ongoing	Number of new PA's developed	
003 RS2	<b>Planned Inspections</b> Carry out 100% of planned health and safety intervention visit.	March 2023	HSBE	Completed	% of inspections achieved. We have the following planned health and safety intervention visits from the various interventions detailed below.	

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
					Q1 – 37 Q2 – 24 Q3 – 42 Q4 – 59 This will be updated as the exact details of interventions are finalised.	162 interventions carried in 2022/23
004	<b>SME's</b> To raise awareness of the HSE's ABC toolkit to SME's.	March 2023	HSBE	<b>Completed</b>	The number of visits carried out to raise awareness of the HSE's ABC toolkit.	87 visits in total
005	<b>Skin Piercing New Byelaws</b> Carry out registration visits and issue registrations. Review all skin piercing registrations.	March 2023	HSBE	<b>Completed</b>	Number of registration visits carried out. Review of existing registrations.	48 registrations carried out

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
006	<p><b>Better Business for All</b> Supporting the work of the LLEP 'Better Business for All' joint project. To include:</p> <ol style="list-style-type: none"> <li>1. Develop regulatory information on the 'Business Gateway' site for Leicestershire.</li> <li>2. Develop the role of the Business Champions within Charnwood.</li> </ol>	March 2023	HoRS & HSBE	Ongoing	<ol style="list-style-type: none"> <li>1. Number of businesses accessing Regulatory Information from Business Gateway.</li> <li>2. BBfA projects implemented.</li> <li>3. Number of start-up businesses receiving regulatory advice and support.</li> </ol>	158 business interactions
007 EH06	<p>To investigate incidents reported under the RIDDOR in line with the internal procedures and where investigation are required:</p> <ul style="list-style-type: none"> <li>• Fatal</li> <li>• Specified Injuries</li> <li>• Over 7-day injuries</li> <li>• Members of the public</li> </ul>	March 2023	HSBE	Completed	<p>Fatal – within 1 working day</p> <p>Specified Injuries – Within three working days</p> <p>Over 7-day injuries – within ten working days or the next routine inspection</p> <p>Members of the public – within three working days</p>	<p>Fatal – 0</p> <p>Specified Injuries – 1</p> <p>Over 7 day – 5</p> <p>Members of the public - 5</p>
008 CS28	To respond to 95% of health and safety service requests where we have an enforcement role within 3 working days	March 2023	HSBE	Completed	% of complaints responded to within 3 working days	97 requests in total within target 95 %
009	To investigate all notifications of defective lifting equipment within 24 hours of receipt	March 2023	HSBE	Completed	% of defective lifting reports investigated within 24 hours	3 requests in total
010	To assess all notified asbestos removal works carried out by licensed asbestos removal contractors.	March 2023	HSBE	Completed	Number of notifications received.	0

Action No	Action	Target Date (end of)	Lead Officer	Action Status	Deliverables	Update
011 EH07	Investigate all complaints regarding smoke free.	March 2023	HSBE	Completed	Number of visits to assess notified works. % response times to service requests for smoke-free complaints	0 requests in total
012	To ensure that the Council's statutory responsibilities for animal welfare are met.	March 2023	HSBE & EHT	Completed	100% inspections of all licensed animal establishments.	100%
013	Continue to implement the requirements under the Private Water Supply Regulations 2009 and undertake a programme of water sampling to ensure water fit for purpose.	March 2023	HSBE	Completed	Risk Assessments completed as required. Sampling Programme as necessary	1 premises sampled no failures
014 RS1	Enforcement actions taken in carrying out actions in intervention plan	March 2023	HSBE	Completed	% of formal notices and legal action taken resulting in compliance or successful fine/conviction.	1



